

## **ADMINISTRATIVE TIME OFF (ATO)**

**1066**

(No.172 August 2015)

Administrative Time Off (ATO) is a form of paid leave initiated by appointing authorities for a variety of reasons. Most often, ATO is used when an employee cannot come to work because of a pending investigation, fitness for duty evaluation, or when work facilities are unavailable.

## **REFERENCES**

**1066.1**

(No.172 August 2015)

[Government Code \(GC\) Section 19574.5](#)

[Government Code \(GC\) Section 19815.4](#)

[Government Code \(GC\) Section 19816](#)

[Government Code \(GC\) Section 19844.5](#)

[Government Code \(GC\) Section 19991.10](#)

[California Code of Regulations \(CCR\) 599.785.5](#)

[California Code of Regulations \(CCR\) 599.930](#)

[California Department of Human Resources \(CalHR\) Personnel Management Liaison \(PML\) 2005-012](#)

[California Department of Human Resources \(CalHR\) Personnel Management Liaison \(PML\) 2012-008](#)

[California Department of Human Resources \(CalHR\) Personnel Management Liaison \(PML\) 2012-015](#)

[Memoranda of Understanding \(MOUs\)](#)

## **AUTHORITY**

**1066.2**

(No.172 August 2015)

The California Department of Forestry and Fire Protection (CAL FIRE) is authorized to approve ATO up to five (5) working days on an individual basis pursuant to [Government Code 19991.10](#). CalHR has provided CAL FIRE delegated authority to approve up to 30 calendar days of ATO. The Director of CAL FIRE, Chief Deputy Director, or if delegated, the Deputy Director of Management Services and/or the Chief of Human Resources, have the authority to grant ATO leave.

## **PROCEDURES**

**1066.3**

(No.172 August 2015)

When a situation occurs where ATO is the best and only solution for the safety of our employees, a written request shall be submitted from the respective Deputy Director or Region Chief to the Labor and Human Resource Management (LHRM) Office. Under extenuating circumstances, the Director of CAL FIRE, Chief Deputy Director, or if

delegated, the Deputy Director of Management Services and/or the Chief of Human Resources, may be contacted for verbal approval. ATO requests submitted and approved verbally must be followed in writing or by email from the appropriate Deputy Director or Region Chief.

Requests must include the following information:

- Full name of employee;
- Employee's work unit;
- Classification (Civil Service Title);
- Working title;
- Collective Bargaining Identifier (CBID);
- Peace Officer status, if applicable;
- Justification for the ATO request, including:
  - Why ATO is the best alternative under the circumstances? What harm to the employee or other employees would occur if the employee remains at work?
  - Why the employee cannot return work?
  - Is a temporary assignment available in lieu of ATO?
- Begin and End Date(s) of ATO; and
- Contact person and telephone number for questions regarding the request.

## **EXTENSIONS**

**1066.5**

(No.172 August 2015)

All extensions of ATO shall be requested in writing to the Director, Chief Deputy Director, or if delegated, the Deputy Director of Management Services and/or the Chief of Human Resources. Requests for any extension must include the original ATO request and the following information supporting the need for extension:

- Status update;
- Justification for extension;
- Plan for resolving the situation; and
- Anticipated end date for ATO.

CAL FIRE is required to request approval from CalHR for the extension of any ATO request in excess of the initial 30 calendar days. The Director, Chief Deputy Director, or if delegated, the Deputy Director of Management Services and/or the Chief of Human Resources, must be contacted no later than the 20th day of ATO in order to submit this request to CalHR on a timely basis. The LHRM is the sole authority to contact CalHR and request an extension.

## **APPROVED REQUESTS**

**1066.6**

(No.172 August 2015)

Once the ATO request or request for extension is approved, the LHRM Office shall send a memorandum to the employee providing information such as general basis for ATO, specified duration, and the direction to remain at home and available by telephone during normal working hours.

## **SUBSTANCE ABUSE PROGRAM**

**1066.7**

(No. 161 December 2012)

The CAL FIRE Substance Abuse Program Reasonable Suspicion testing process also provides for ATO, which is subject to this policy. The Substance Abuse Policy is located in the [1000 Personnel Procedures Handbook Section 1084](#). Refer to the policy for specific procedures and forms required to apply ATO under this circumstance.

## **WORKERS' COMPENSATION PROGRAM**

**1066.8**

(No. 161 December 2012)

If, during the course of a workers' compensation claim, an employee will be absent from work to attend a medical-legal evaluation with an Independent Medical Evaluator, such as a Qualified Medical Evaluator (QME) or an Agreed Medical Evaluator (AME), ATO will be authorized for the length of the medical appointment only. If the employee is already off of work, then no ATO will be authorized for this type of medical appointment.

## **RECORDKEEPING**

**1066.9**

(No. 161 December 2012)

Approved ATO shall be properly documented on the employee's monthly timesheet. Regardless of the length of the ATO, CAL FIRE must maintain thorough documentation demonstrating the justification of the ATO to maintain delegated authority for approvals. Failure to grant ATO in conformity with procedures may result in CalHR revoking the appointing authority's delegation to utilize ATO without first obtaining approval from CalHR.

The requesting office and LRHM Office will maintain records for all instances of ATO.

## **INFORMAL TIME OFF (ITO)**

**1066.10**

(No. 161 December 2012)

Employees may be granted an informal time off (ITO) paid leave of absence for the Christmas/New Year's holidays. Typically, the Department of Personnel Administration (DPA) issues a memorandum in advance of the holidays, containing the Governor's authorization to use up to four hours of ITO for this purpose. Included in this memo are guidelines for departments to follow in granting ITO. The CAL FIRE Human Resources Office also issues an authorizing memorandum to employees. All employees, including temporary hires (seasonal employees, retired annuitants, etc.), if scheduled to work are

eligible for the ITO. Informal time off for part-time and intermittent employees is pro-rated in accordance with the authorizing memorandum.

For most employees, the ITO is used on either December 24 or December 31. Employees who are required to work on those days, or who would otherwise be scheduled to work but are on paid leave status, should be granted the time off prior to the following June 30, if administratively feasible.

ITO is reported on the absence report by employees covered by the Fair Labor Standards Act (FLSA). Posting or reporting ITO is not required for employees in classes exempt from FLSA (e.g., in Work Week Groups 4C, E, and SE).

The following provisions apply to employees in classes designated R08 or S08, who are not on a standard 40-hour duty week.

- a. Time off for ITO will be granted on the last scheduled work day of the shift immediately preceding Christmas or New Year's Day.
- b. Enter four hours of ITO on the absence report for the day in which ITO is used. Any continuous stand-by on the same day is also excused.
- c. If the employee is scheduled to work and does work on the day in which ITO is used: If using WTR, enter all hard time, ITO and standby time as work time. In the "Reason for Difference between Scheduled and Actual Hours" section of the WTR timesheet, document the ITO usage. Examples follow.
  - Employee is scheduled to work 10 hours on the day in which ITO is used. Employee actually works 6 hours hard time. Charge all 10 hours as work time: 4 hours ITO; 6 hours hard time. Document the 4 hours of ITO in the "Reason for Difference between Scheduled and Actual Hours" section of the WTR timesheet.
  - Employee is scheduled to work 10 hours on the day in which ITO is used. Employee actually works 4 hours hard time and also has a two-hour dental appointment. Charge 10 hours as work time: 4 hours ITO; 4 hours hard time. Charge 2 hours to sick leave, and WTR will convert the sick leave time as appropriate. Document the 4 hours of ITO in the "Reason for Difference between Scheduled and Actual Hours" section of the WTR timesheet.
  - Employee is scheduled to work 24 hours on the day in which ITO is used. Employee actually works 6 hours hard time. Charge all 24 hours as work time: 4 hours ITO; 14 hours standby; 6 hours hard time. Document the 4 hours of ITO in the "Reason for Difference between Scheduled and Actual Hours" section of the WTR timesheet.
  - Employee is scheduled to work 24 hours on the day in which ITO is used. Employee actually works 4 hours hard time and also has a two-hour dental

appointment. Charge 22 hours as work time: 4 hours ITO; 14 hours standby; 4 hours hard time. Charge 2 hours to sick leave, and WTR will convert the sick leave time as appropriate. Document the 4 hours of ITO in the “Reason for Difference between Scheduled and Actual Hours” section of the WTR timesheet.

- d. If the employee is scheduled to work and is absent for the full day in which ITO is used: Employees may combine leave credits with the ITO and be absent for the full day. If using WTR, enter the ITO and any standby time as work time. Charge the remaining hard time to leave credits; WTR will convert the leave credits as appropriate. In the “Reason for Difference between Scheduled and Actual Hours” section of the WTR timesheet, document the ITO usage. Examples follow.
- Employee is scheduled to work 24 hours on the day in which ITO is used and is absent for the full day. Charge 18 hours as work time: 4 hours ITO; 14 hours standby. Charge 6 hours to vacation, and WTR will convert the 6 leave credits as appropriate. Document the 4 hours of ITO in the “Reason for Difference between Scheduled and Actual Hours” section of the WTR timesheet.
  - Employee is scheduled to work 10 hours on the day in which ITO is used and is absent for the full day. Charge 4 hours as work time: 4 hours ITO. Charge 6 hours to vacation and WTR will convert the leave credits as appropriate. Document the 4 hours of ITO in the “Reason for Difference between Scheduled and Actual Hours” section of the WTR timesheet.

[\(see next section\)](#)

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[\(see Forms or Forms Samples\)](#)